

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EASTERN PROFIT CORPORATION LIMITED,

Plaintiff,

v.

STRATEGIC VISION US LLC,

Defendant.

Civil Action No. 18 CV 2185

**DECLARATION OF
HEATHER H. KIDERA**

Pursuant to 28 U.S.C. 1746, I affirm the following to be true under the penalties of perjury:

1. I am admitted to practice in New York and an attorney at Phillips Lytle LLP, counsel for Defendant, Strategic Vision US LLC (“Strategic Vision” or “Defendant”), in this matter. I submit this declaration in support of Strategic Vision’s motion to unseal this action.

2. Plaintiff, Eastern Profit Corporation Limited (“Eastern” or “Plaintiff”), commenced this action on or about March 12, 2018. Attached as **Exhibit A** is a copy of the Summons and Complaint.

3. On or about March 12, 2018, Eastern made a request to file the Complaint and accompanying case-initiating documents under seal.

4. Neither Strategic Vision nor its counsel was provided with notice that Eastern intended to seek this relief. The exact manner in which Eastern made this request is unclear, but it appears that Eastern simply made an oral request to the Court.

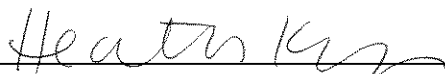
5. The only apparent documentation submitted by Eastern in support of its request to seal is the Complaint.

6. On March 12, 2018, the Honorable Sidney Stein entered an *ex parte* Order granting Eastern's request to file the case-initiating documents under seal on a preliminary basis, with the express limitation that the order was "only until the judge assigned to this action has an opportunity to review this application." Attached as **Exhibit B** is a copy of the Order.

7. A search on the CM/ECF system indicates that the entire case file for this action has been placed under seal. As a result, in the addition to the filed documents themselves, neither the docket sheet nor the case caption is available to be accessed by the public.

WHEREFORE, defendant Strategic Vision requests that its motion to unseal this action should be granted in its entirety, together with such other relief as the Court may deem just and proper.

Dated: New York, New York
April 3, 2018


Heather H. Kidera

Doc #05-494009.1